

REMARKS

Applicants have amended claims 15, 17, 18, 21, 23, 27 and 29; and, canceled claims 16, 22 and 28. Claims 21, 27 have been amended to include the limitations of allowable claims 22, 28, respectively. Claims 15-20 stand rejected on prior art grounds. No new matter has been added to the application by virtue of the present amendment.

Claim Rejections

The Examiner has rejected claims 15, 16, 18-21, 24-27, 30 and 31 under 35 U.S.C. 102(b) as being anticipated by Kato (USP 5,986,326).

The Examiner has indicated that claims 22, 23, 28 and 29 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 21, 27 have been amended to include all of the limitations of respective dependent claims 22, 28. Therefore, Applicants respectfully submit that claims 21 and 27, and claims dependent thereupon, are in condition for allowance.

In this Amendment, Applicant has amended claims 21 and 27, and canceled claims 22 and 28 from further consideration in this application. Applicant is not conceding that the subject matter encompassed by claims 21-31, prior to this Amendment is not patentable over the art cited by the Examiner. Claims 21 and 27 were amended and claims 22 and 28 were canceled in this Amendment solely to facilitate expeditious prosecution of the allowable subject matter indicated by the Examiner. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims 21-31 as presented prior to this Amendment and additional claims in one or more continuing applications.

Regarding the rejection of claims 15, 16 and 18-20, Applicants respectfully traverse the

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rejection because Kato does not teach or suggest Applicants' claim 16. More specifically, Kato does not disclose "... patterning an insulator ..." or "... epitaxially growing said extrinsic base ...". The Examiner states that numeral "6" in Kato refers to an insulator, however, Applicants respectfully submit that numeral "6" in Kato refers to "emitter region 6" which is a doped region formed in epitaxial layer 2 (i.e. emitter region 6 is a conductor, not an insulator) (see column 6, lines 35-38; and column 9, lines 6-12). Kato also fails to disclose epitaxially growing an extrinsic base over an insulator and intrinsic base. Rather Kato discloses that the extrinsic base 5 is formed by outdiffusion of dopant from layer 12' into epitaxial layer 2 so extrinsic base 5 is a doped region that is confined to the epitaxial layer 2 (see FIG. 11, and column 9, lines 6-12). Thus, extrinsic base 5 of Kato does not extend over any insulator (not even emitter region 6) nor does it extend over intrinsic base 4. Therefore, Applicants respectfully submit that claim 15, as amended, and claims dependent thereupon, are patentable over Kato.

In view of the foregoing, Applicants submit that the pending claims are patentably distinct from the prior art of record and are in condition for allowance.

CONCLUSION

Applicants respectfully submit that the entire application is in condition for allowance. However, the Examiner is urged to call the undersigned at the number listed below if, in the Examiner's opinion, such a phone conference would aid in furthering the prosecution of this application. No fee is due by virtue of this amendment. However, if the PTO determines that a fee is required, please charge Applicants' Deposit Account, 09-0456.

Respectfully Submitted,

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